IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.56 OF 2005
IN
FIRST APPEAL NO.37 OF 2001

The Watch Tower Bible & Tract
Society of India ..Appellant

V/s.

The Union of India & Ors. ..Respondents

Mr.D.J.Khambata alongwith Berjis Coolabawala i/by Mulla & Mulla for the appellant.

Coram : R.M.LODHA &
R.S.MOHITE,JJ

Date : 2.5.2005.

PC

. Heard Mr.Khambata the learned Advocate for the appellant.

2. In the First Appeal that is yet to be heard and disposed of by the learned single Judge, the order dated 6.12.2001 came to be passed rejecting the appellant's prayer for production of documents. It appears that the present respondents' claimed privilege regarding the said documents on the ground that disclosure of such documents to the present appellant would not be in public interest. The learned single Judge held that plea of privilege was well founded.

3. Having considered the matter we are of the view that with regard to the grievance regarding the order dated 6.12.2001 passed by the learned single Judge upholding the privilege claimed by the present respondents concerning the subject documents, the present Letters Patent Appeal does not deserve to be admitted and interest of justice would be sub-served if the liberty is granted to the appellant to challenge the order dated 6.12.2001 in the appeal if the appellant is aggrieved by the final decision that may be given in First Appeal.

4. We accordingly dismiss the appeal in limine with liberty to the appellant to challenge the order dated 6.12.2001 passed by the learned single Judge if the appellant is aggrieved by the Judgment and order that may be given in First Appeal No.37 of 2001 finally.

(R.M.LODHA,J)

(R.S.MOHITE,J)